

**NATURE OF CHARGE:** Adulteration, Section 501 (b), the article purported to be and was represented as "Liver Injection Crude," a drug the name of which is recognized in the United States Pharmacopeia, an official compendium, and its strength differed from the official standard since each cubic centimeter of the article possessed a vitamin B<sub>12</sub> activity equivalent to less than 2 micrograms of cyanocobalamin.

Misbranding, Section 502 (a), the label statements "Liver Injection, Crude, U. S. P. Each cc. has a Vitamin B<sub>12</sub> activity equivalent to 2 micrograms of cyanocobalamin" were false and misleading as applied to the article, which did not conform to the specifications of the United States Pharmacopeia for liver injection crude and the vitamin B<sub>12</sub> activity of which was equivalent to less than 2 micrograms of cyanocobalamin per cubic centimeter.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

**DISPOSITION:** July 1, 1953. Default decree of condemnation and destruction.

**4167. Adulteration and misbranding of AAC Compound tablets and Compressed tablets. U. S. v. 22 Bottles, etc. (F. D. C. No. 34981. Sample Nos. 62045-L, 62047-L.)**

**LIBEL FILED:** April 24, 1953, Southern District of Illinois.

**ALLEGED SHIPMENT:** On or about September 2, 1952, by Dumas-Wilson & Co., from St. Louis, Mo.

**PRODUCT:** 22 1,000-tablet bottles and 6 3,000-tablet bottles of *AAC Compound tablets* and 4 5,000-tablet bottles and 3 1,000-tablet bottles of *Compressed tablets* at Decatur, Ill.

Analysis showed that each *AAC Compound tablet* contained approximately 1.4 grains of acetophenetidin and that each *Compressed tablet* contained approximately  $\frac{1}{11}$  grain of kermes mineral (antimony sulfide, golden).

**RESULTS OF INVESTIGATION:** The drugs involved, when shipped in interstate commerce, were packaged in bulk containers, and upon their receipt by the consignee, were repacked into bottles and relabeled by the consignee.

**LABEL, IN PART:** *AAC Compound tablets.* (Bottle) "Acetophenetidin 2½ grs. (Derivative of Acetanilid) Acetylsalicylic Acid 3½ grs. Caffeine Alkaloid ½ gr. \* \* \* Distributed by Sly and Company \* \* \* Decatur, Illinois"; (bulk container) "Contains 50,850 Specifications Compressed Tablets Mottled Each tablet contains: Aspirin 3.5 grs. Acetophenetidin 2.5 grs. Caffeine Alk. 0.5 gr."

*Compressed tablets.* (Bottle) "Each tablet contains: Kermes Mineral  $\frac{1}{6}$  gr. Powdered Ipecac  $\frac{1}{12}$  gr. \* \* \* Sly and Company \* \* \* Decatur, Illinois"; (bulk container) "Contains 50,100 Specifications Compressed Tablets Each tablet contains: Kermes Mineral  $\frac{1}{6}$  gr. (Antimony Sulfide, Golden) Powdered Ipecac  $\frac{1}{12}$  gr."

**NATURE OF CHARGE:** *AAC Compound tablets.* Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 2.5 grains of acetophenetidin per tablet. Misbranding, Section 502 (a), the label statements (bulk container) "Acetophenetidin 2.5 grs." and (relabeled bottle) "Acetophenetidin 2½ grs." were false and misleading as applied to a product which contained less than 2.5 grains of acetophenetidin per tablet.

*Compressed tablets.* Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess.

namely, 1/6 grain kermes mineral (antimony sulfide, golden) per tablet. Misbranding, Section 502 (a), the label statements (bulk container) "Each tablet contains: Kermes Mineral 1/6 gr. (Antimony Sulfide, Golden)" and (relabeled bottle) "Each tablet contains: Kermes Mineral 1/6 gr." were false and misleading as applied to a product which contained less than 1/6 grain of kermes mineral (antimony sulfide, golden) per tablet.

The articles were adulterated and misbranded in the above respects when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: May 27, 1953. Default decree of condemnation and destruction.

**4168. Adulteration and misbranding of clinical thermometers. U. S. v. 100 Thermometers \* \* \*. (F. D. C. No. 35268. Sample No. 47630-L.)**

LIBEL FILED: May 21, 1953, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about March 20, 1953, by the Cardinal Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 100 *clinical thermometers* at New Orleans, La. Examination of 24 thermometers showed that 3 would not give accurate readings.

LABEL, IN PART: (Etched on thermometer) "Cardinal Oral"; (insert in 6-unit package) "Certificate of Examination Clinical Thermometer."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported to possess.

Misbranding, Section 502 (a), the following statements in the labeling of the article were false and misleading as applied to thermometers which failed to comply with the tests and specifications mentioned: (Insert) "\* \* \* This certifies that the enclosed thermometers have been tested at 98°, 102° and 106° F. and are correct within plus or minus 2/10 F. at any of these test points. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards, Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-32 Department of Commerce.)" and "The enclosed thermometers are guaranteed to be of absolute accuracy."

DISPOSITION: June 23, 1953. Default decree of condemnation and destruction.

**DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS**

**DRUGS FOR HUMAN USE\***

**4169. Misbranding of Alfamint tablets, alfalfa tablets, alfalfa leaves, Alfa-Mint leaves, alfalfa seed tea, and alfalfa seed. U. S. v. 204 Bottles, etc. (F. D. C. No. 35279. Sample Nos. 20577-L to 20582-L, incl.)**

LIBEL FILED: May 28, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about January 13 and February 23, 25, and 26, 1953, from Huntington Park and Imperial, Calif.

PRODUCT: 204 200-tablet bottles of *Alfamint tablets*, 6 200-tablet bottles of *alfalfa tablets*, 278 4-ounce packages of *alfalfa leaves*, 75 pounds of *alfalfa leaves* in a bulk container, 235 4-ounce packages of *Alfa-Mint leaves*, 225 8-ounce packages and 302 16-ounce packages of *alfalfa seed tea*, and 60 pounds of *alfalfa seed* in a bulk container, at Minneapolis, Minn., in the possession of

\*See also Nos. 4166-4168.